

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 27 and 30 have been amended. Support for the amendments is provided for example in paragraph [0030] of Applicant's published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to any particular aspect of the referenced embodiments.)

Claims 35 and 36 stand withdrawn from consideration as being directed toward non-elected subject matter.

Claims 27-32 stand rejected, under 35 USC §103(a), as being unpatentable over Li et al. (US 2002/0119781) in view of Parantainen et al. (US 7,092,373) and Wang et al. (US 2001/0028677). Claims 33 and 34 stand rejected, under 35 USC §103(a), as being unpatentable over Li in view of Parantainen, Wang, and Khan (US 2004/0179493). The Applicant respectfully traverses these rejections as follows.

Claim 27 now defines a base station that transmits user data on a user channel and transmits simultaneously on a control channel: (i) first allocation information indicating resources allocated for ACK/NACK signals that a mobile station returns to the base station in response to receiving the user data and (ii) second allocation information, which is downlink resource allocation information, indicating the destination of the user data. The claimed subject matter supports an advantage of improving data throughput.

Applicant argued in the Amendment dated April 1, 2010, that Li does not disclose a base station that transmits second allocation information, which is downlink resource allocation information, indicating the destination of user data (see Amendment dated April 1, 2010, page 11, penultimate paragraph, through page 12, line 2). In response, the Advisory Action states that Applicant's claim 27 did not previously recite that the claimed second allocation information was downlink resource allocation information (see Advisory Action page 2, lines 2-3 of fifth paragraph). For this reason, the Advisory Action proposes that Li's disclosure of a base station providing notification to a subscriber corresponds to the claimed subject matter of a base station transmitting second allocation information indicating the destination of user data (see page 2, last sentence of fifth paragraph).

However, claim 27 now expressly recites that the second allocation information, transmitted by a base station, is downlink resource allocation information indicating the destination of user data. Because the Advisory Action argues that this subject matter was not claimed rather than proposing that Li discloses this subject matter, the Advisory Action seems to acknowledge that Li does not disclose this subject matter. And Parantainen and Wang are not cited in the Final Rejection or Advisory Action for supplementing the teachings of Li in this regard.

Accordingly, the Applicant submits that the teachings of Li, Parantainen and Wang, even if combined as proposed in the Final Rejection and Advisory Action, still would lack the above-noted features of claim 27 and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 27. Independent claim 30 now similarly recites the above-mentioned subject matter distinguishing apparatus claim 27 from the

applied references, but with respect to a method. Therefore, allowance of claims 27 and 30 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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